

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Extended Study Session

January 28, 2002
6:00 p.m.

Council Conference Room
Bellevue, Washington

PRESENT: Mayor Marshall, Deputy Mayor Degginger, Councilmembers Creighton, Davidson, Lee, Mosher, and Noble

ABSENT: None.

1. Executive Session

Deputy Mayor Degginger opened the meeting at 6:02 p.m. and announced recess to executive session for approximately 90 minutes to discuss one item of potential litigation, one item of pending litigation, and one item of property acquisition.

At 7:35 p.m., the study session resumed and Mayor Marshall announced that Council would return to executive session following discussion of study session items. She proposed reordering the agenda to address item 3(d), 112th Avenue NE Improvements, before item 3(c), Regional Issues. Council concurred with the amended agenda.

2. Oral Communications: None.

3. Study Session

(a) Council New Initiatives

Dr. Davidson recently attended a meeting of the West Lake Hills Citizen Advisory Committee. He said residents are interested in reducing the speed limit on SE 6th Street, a cul-de-sac between several apartment buildings, from 25 to 15 miles per hour. There was Council consensus to ask staff to review an appropriate speed limit for this location.

(b) Access Downtown Project Update

Transportation Director Goran Sparrman explained that the Access Downtown project evolved from a local circulation project identified in the 1990 Downtown Plan to an Eastside anchor project in order to respond to rapid growth and improve transit, highway capacity, and local circulation. The project is designed to:

- Improve transit and HOV (high occupancy vehicle) reliability with a new interchange at NE 6th Street.
- Improve access to expanding transit center and downtown core.
- Improve freeway interchanges at NE 4th, NE 8th, and SE 8th Streets.
- Complete needed surface arterial improvements.

Mr. Sparrman reviewed the following guiding principles of the project:

- Minimize construction impacts.
- Shared commitment for success among project partners – City of Bellevue, Washington State Department of Transportation, and Sound Transit.
- Flexibility to allow for future capacity increases – roadway, transit, and high-capacity transit.
- Stewardship to ensure the project is cost effective and responds to growing congestion over time with wise investments.
- Defining the industry's Best Practices and serving as a national model for innovative construction practices and traffic mitigation.

Mr. Sparrman discussed how the project ties into today's needs as well as preparing for the future. Council's 1999 Regional Transportation Vision calls for significant investments in all modes of travel to accommodate ongoing growth and economic development. The Access Downtown project reflects a major step toward realizing this Vision. Population, employment, and transportation demands are all expected to continue to grow significantly through 2020. Mr. Sparrman said Access Downtown serves existing development, but the current Downtown Implementation Plan Update process indicates the need for additional access, capacity, and circulation. He noted the importance of integrating this project with the I-405 Corridor Program as well, which is designed to support future growth. The preferred alternative of the I-405 Corridor Program includes up to two new general purpose lanes in each direction and a bus rapid transit (BRT) system. It is estimated that nearly half of all traffic traveling on I-405 in 2020 will have a destination or origin within downtown Bellevue.

Mr. Sparrman said key principles for keeping the project moving forward are to keep the public informed, deliver the project, and minimize traffic disruption. He assured citizens that downtown businesses will remain open. The City is interested in providing feedback mechanisms so it can learn about and address people's concerns regarding traffic mitigation during construction. Citizens will be encouraged to explore alternative transportation modes to reduce single-occupancy vehicle (SOV) trips. The goal is to meet or exceed the mode split target of 40 percent non-SOV trips by 2005. The project team is working with the Chamber of Commerce and the Bellevue Downtown Association to help direct outreach activities for businesses, their customers, and employees.

Agnes Govern, Sound Transit Regional Express, said the Access Downtown project will make Bellevue the centerpiece of Sound Transit's and King County Metro's Eastside networks. Regional Express is the bus component of Sound Transit that provides express bus service connecting urban centers in King, Pierce, and Snohomish Counties. Regional Express has implemented 17 of 19 planned routes, with the remaining two routes to be implemented in September.

Ms. Govern said Sound Transit is the principal funder of the Access Downtown project providing \$108 million of the estimated \$164 million total project costs. The project is critical in terms of providing direct transit access between I-405 and the Bellevue Transit Center. Ms. Govern noted that Sound Transit is on schedule to complete the expansion of Bellevue Transit Center in June. This will enable Sound Transit and Metro to improve transit services and support long-term traffic management objectives. Ms. Govern said the Access Downtown project requires the management of the following risks: right-of-way acquisition, utility relocations, and traffic management.

David Dye, WSDOT Urban Corridors Office, discussed the project management goals and objectives. The project team is committed to on-time and on-budget project delivery while maintaining downtown accessibility, maximizing innovations, managing risks, and maximizing communications. The overall team includes an Executive Committee, Citizens Committee, Communications Team, and Project Management Team. The Project Management Team includes the City, King County Metro, Sound Transit, a consultant, and a full-time project manager with WSDOT. Mr. Dye introduced the following project staff: Denise Cieri (Project Manager, WSDOT), Larry Kyle (Project Advisor, HDR), Rick Logwood (City of Bellevue), and Bill Guenzler (Sound Transit).

To maintain downtown accessibility, Mr. Dye said staff will continue to aggressively trim road closure times utilizing input from contractors, suppliers, and designers. Contract requirements will be structured to provide incentives for minimizing road closures, maintain emergency response access, restrict closures during known city events, and minimize daytime closures when possible. Communications activities will include:

- Outreach and traveler information program.
- Education and awareness plan involving Chamber of Commerce and Bellevue Downtown Association.
- Access Downtown web site.
- Strong use of media.
- Ongoing link to City emergency response staff.

Mr. Dye reviewed the preliminary project phasing schedule:

SE 8th Street project – Begins Spring 2002 and ends Fall 2003,
NE 8th Street project – Begins Summer 2002 and ends late Fall 2003,
NE 4th, NE 6th, and Mainline project – Begins early 2003 and ends late Fall 2004 or early 2005.

In response to Mr. Mosher, Mr. Dye said communications outreach could include reader boards, highway advisory radio, the web site, press releases, and other measures. Mr. Sparrman added that highway signage will be used to alert motorists. The project team is working cooperatively with Bellevue Police Department to be able to respond quickly to traffic issues, as suggested by Councilmember Lee.

Mr. Dye described a series of drawings illustrating all project components. The SE 8th Street project includes an elevated northbound off-ramp to 116th Avenue, a new southbound on-ramp

from 114th, and stormwater detention facilities. The NE 8th Street project will provide a new bridge and interchange, and some approaches to the NE 4th Street bridge will be reconstructed. Then, access to NE 6th Street and the Transit Center will be improved and final ramp improvements will be completed at NE 8th Street. Mr. Dye explained, using a series of illustrations, the innovative phasing applied to the NE 8th Street project to avoid closing down that street for any extended periods of time. He commented on efforts to manage risks associated with right-of-way acquisition, utility relocation, and traffic management.

Mr. Sparrman reviewed the following next steps:

- Support legislative actions for regional investments,
- Ongoing franchise utility coordination,
- Complete plans, specifications, and estimates,
- Ongoing project coordination and scheduling,
- Communications and outreach,
- Construction management,
- Traffic management, and
- Budget monitoring.

Upcoming Council actions include:

February 4 – NE 8th Street interchange – Approval of Funding Agreement and authorization of Construction Agreement.

February 25 – Approval of NE 4th, NE 6th, and I-405 Mainline Funding Agreement and approval of Risk Sharing Agreement between the three partner agencies.

Mr. Sparrman concluded by showing illustrations of future views of I-405 and downtown Bellevue.

Mayor Marshall thanked everyone for their hard work.

(d) 112th Avenue NE Improvements

Mr. Sparrman introduced Nancy LaCombe, Project Manager, and commented that planned improvements to 112th Avenue NE will be crucial to maintaining traffic flow during construction of the Access Downtown project.

Ms. LaCombe said the 112th Avenue NE improvement project will enhance capacity and efficiency by widening the street, adding left-turn pockets, and installing a traffic signal at NE 2nd Street. The project has experienced delays due to negotiations regarding right-of-way acquisition. The original CIP (Capital Investment Program) design budget was \$360,000 and expenditures are now projected at \$407,000, reflecting a shortfall of approximately \$47,000. Additional staff and consultant time was required to handle property negotiations and coordination and mediation with Puget Sound Energy.

Ms. LaCombe said the original right-of-way budget was \$1,777,000 and projected expenditures are now \$2,664,000. Property acquisition proved to be more costly than budgeted due to significant increases in downtown property values. The City has achieved immediate use and possession of all nine parcels needed for the project. Settlements have been reached for five of the properties and discussions are continuing for the four remaining parcels. The original construction budget was \$1,990,000. Construction expenditures are now estimated at \$1,733,000, reflecting a projected balance of \$257,000.

Ms. LaCombe summarized that the total CIP budget is \$4,127,000, and projected expenditures are \$4,808,000, reflecting a shortfall of \$677,000. While a budget increase is not requested at this time, Council will be asked to take action on the construction contract and consultant design agreement supplement on February 4. Staff will present a consultant inspection services contract for Council approval on February 19 and report back to Council once all property settlements have been reached.

Responding to Mr. Degginger, Mr. Sparrman said the use of consultant inspection services is necessary due to the number of current and upcoming City projects.

Mr. Mosher said he hopes the project will not continue to experience budget overages. Mr. Sparrman assured Council that staff is working to achieve maximum efficiency on this project.

(c) Regional Issues

City Manager Steve Sarkozy opened a discussion of short-term and long-term jail alternatives for housing City misdemeanants.

Police Chief Jim Montgomery said the most prevalent misdemeanor crimes are driving under the influence, domestic violence, failure to appear, theft, and possession of marijuana. Bellevue currently uses the services of the King County Jail and Issaquah Municipal Jail in addition to the City's electronic home detention program. Bellevue's contract with Issaquah requires the placement of a minimum of 20 prisoners per day. Chief Montgomery said Issaquah does not accept female and "problem" prisoners and does not provide medical care, while King County does provide these services. Issaquah charges a daily maintenance fee of \$55 but no booking fee. King County charges a booking fee of \$139.39 and a daily maintenance fee of \$70.90.

Chief Montgomery noted that King County's costs provide an incentive for Bellevue to find alternative jail facilities. Bellevue spent approximately \$1,397,000 for jail services in 2001, and \$1,625,000 is budgeted for 2002. On an average day, Bellevue has 36 prisoners in the King County jail, 19 prisoners in Issaquah, and 20 in the electronic home detention program.

Chief Montgomery said Bellevue's jail services are managed by the Patrol Section and staffed by a police lieutenant, a police officer, and four police support officers. These staff oversee jail contracts, monitor Bellevue's custody facility, transport prisoners, provide courtroom security, and prepare bookings for officers.

Diane Carlson, Regional Issues Manager, said Bellevue and other cities have been engaged in negotiations with King County since the county cancelled its jail contracts in August. Proposed fees for 2002 reflect an increase of approximately 9.4 percent. King County anticipates it will be out of space for misdemeanants by 2004.

Ms. Carlson said Issaquah has not increased Bellevue's fees for jail services since 2000 and recently added court-mandated treatment programs at no additional cost. Bellevue Police Department has been pleased with Issaquah's services. Bellevue currently has capacity available in its electronic home detention (EHD) program, which is subject to judges choosing this sentencing option.

Ms. Carlson said Yakima County is actively marketing its available short-term space and seeking long-term partners to expand its jail capacity. Yakima County offers low rates with an emphasis on efficiency and high-quality services. Bellevue District Court judges support the Yakima County jail as an acceptable option.

Chief Montgomery explained that Yakima County Jail already provides transportation from its facility to the Seattle area four days a week. The potential future expansion of this service to five or more days a week makes this even more attractive as a viable option for Bellevue.

Ms. Carlson described the proposed Yakima County Jail agreement for 2002. Yakima County will accept all prisoners on a space-available basis. Bellevue's fees are \$46 per day for maintenance plus medical expenses, which average \$2 per day. Yakima does not charge a booking fee. Yakima County will transport prisoners four days a week to and from the Renton Jail. Use of the Yakima County jail would begin immediately and expected use is 25 to 30 prisoners per day by the end of 2002. Cost savings are estimated at an annualized amount of \$302,000 to \$372,000 for 2002. Ms. Carlson noted this option could require the addition of a Police Support Officer to provide transport duties in 2003.

Ms. Carlson said the proposed Renton Jail agreement for 2002 includes maintenance fees of \$50 per day for a full day or \$25 for a partial day plus medical expenses. Renton does not charge a booking fee.

Ms. Carlson reviewed staff's recommendation for short-term jail services:

- Maintain 20 inmates per day at Issaquah Jail.
- Use King County Jail primarily for pre-sentence prisoners who cannot be housed at Issaquah.
- Contract with Yakima County and Renton for 2002.

Staff's recommendation for long-term jail services is to:

- Negotiate a long-term (7 to 10 years) contract with Yakima County.
- Continue internal evaluation and collaboration with King County cities to plan for misdemeanor population.

If Council approves the recommended course of action, staff will request Council approval of the Yakima County and Renton Jail agreements on February 19.

Responding to Mr. Noble, Chief Montgomery said several Puget Sound cities, including Federal Way, Mercer Island, and Renton, are sending prisoners to Yakima County. He said police departments, and even inmates, have reported favorably on Yakima County's jail services.

In response to Mr. Creighton, Ms. Carlson said the average length of stay for post-sentenced prisoners is about evenly split between 15 to 30 days and 31 to 60 days. Chief Montgomery commented on the complication presented by prisoners who might be facing charges in multiple jurisdictions. This highlights the importance of close coordination between cities and the ability to transport prisoners when needed for court appearances and related activities.

In response to Mr. Lee, Chief Montgomery said Bellevue is currently utilizing fifty percent or more of Issaquah's jail space.

Dr. Davidson questioned King County's reasons for canceling its jail contracts. Ms. Carlson said King County identified the need for additional space and the contracts did not provide for capital funding.

- Mr. Mosher moved to approve the recommended short-term and long-term jail alternatives presented by staff, and Deputy Mayor Degginger seconded the motion.

Mr. Lee is in favor of the motion and wants to continue to use Issaquah's jail services.

Mayor Marshall noted this approach will result in four jail contracts (Issaquah, King County, Renton, and Yakima County) that will minimize costs, maximize efficiencies, and protect citizens.

- The motion to approve the recommended short-term and long-term jail alternatives presented by staff carried by a vote of 6-0.

Moving to the state legislative update, Lobbyist Bob Mack noted that Mike Doubleday was not able to attend the meeting due to illness. Ms. Carlson noted the table in the Regional Issues packet, beginning on page 11, comparing the House and Senate transportation bills. The House bill would allow a single county to form a district, while the Senate bill would require at least two counties to form a district.

Mr. Noble prefers that transportation funds be allocated in portions large enough to complete effective projects rather than thinly distributed throughout the state. Mr. Degginger and Mr. Creighton agreed, and Mayor Marshall commented on the importance of focusing on corridor projects that will provide the most benefit in reducing traffic congestion.

Moving to water, Mr. Mack distributed a handout of issues prepared by Representative Kelli Linville, Chair of the House Agriculture and Ecology Committee. Last year the legislature passed House Bill 1832 dealing primarily with agricultural water issues. Throughout the process

to enact that bill, municipalities put pressure on the legislature to deal with municipal water issues in 2002. This led to the creation of the JELO (Joint Executive Legislative Operating) Group. Mr. Mack noted that King County does not have a representative within this group. The closest urban legislators on the JELO Group are two from Tacoma.

Mr. Mack explained that the JELO Group was charged with producing a municipal water bill by the current legislative session, which has not yet occurred. In addition to municipal water issues, the bill is expected to address: 1) setting and enforcing in-stream flows in basins in which they have not been set, revising in-stream flows in basins where they have been set but are now considered inadequate, 2) state law regarding the relinquishment of water rights, 3) how to deal with conservation issues and reclaimed/reused water, and 4) infrastructure financing. Mr. Mack reviewed some of the key issues including defining a “municipal water supplier,” determining place of use for the water, inchoate water rights (rights that have not yet been developed), municipal distribution efficiency, and the use of water bond monies. A charge of \$2 per connection is proposed for municipal water customers to pay for non-municipal projects throughout the state such as storage, infrastructure, and buying back water rights. Mr. Mack said almost all municipal suppliers are opposed to this proposal.

Deputy Mayor Degginger suggested that Council develop an interest statement regarding water issues. Utilities Director Lloyd Warren noted the state legislature could produce a draft bill as early as next week for the City’s review. Mr. Mack raised two additional issues: 1) What is the role of local governments in regional water management planning? and 2) Will there be statutory preferences for reclaimed and reused water, regardless of cost?

Mayor Marshall asked Mr. Mack and Mr. Warren to prepare a draft interest statement focusing on key water issues for Council’s discussion and review.

Moving on, Mr. Mack described proposed legislation (House Bill 2659 and Senate Bill 6593) that would grant counties a countywide utility tax with the monies to be used for assisting the criminal justice system, public health, and human services. King County is actively lobbying to secure passage of this legislation. Councilmembers expressed concern about the legislation and Mr. Sarkozy said staff will continue to monitor the issue.

Ms. Carlson distributed a handout listing potential revenue sources for cities to make up for revenue lost by the passage of Initiative 695. She said a hearing on two competing business and occupation (B&O) tax bills is scheduled for Thursday.

Mayor Marshall thanked Mr. Mack for his work in Olympia on behalf of the City.

Turning to the 2002 Federal Legislative Agenda, Ms. Carlson noted the draft document beginning on page 18 of the Regional Issues packet. Transportation continues to be a major focus.

Mayor Marshall suggested reordering the legislative agenda to list the top priorities in the following order: Transportation, Pipeline Safety, Endangered Species Act, and Utilities. She suggested that staff reorder the remaining items to more closely match the State Legislative

Agenda, with the Fair Housing Act issue at the end since action is unlikely during this session. Mr. Mosher concurred with Mrs. Marshall's suggestions. Mr. Creighton agreed that the Fair Housing Act should remain on the list, even if it will be the last item. Mr. Lee noted that Public Safety should also remain a top priority.

Ms. Carlson referenced Attachment 3 (Page 28) and requested feedback on the list of proposed meetings with congressional representatives in March when some Councilmembers travel to Washington, D.C., for the National League of Cities Conference. There was consensus to schedule these meetings during the few days before the NLC Conference. She urged Councilmembers to let the Council Coordinator know by Friday if they plan to attend the conference.

- ➡ At 9:55 p.m., Deputy Mayor Degginger moved to extend the meeting to 11:00 p.m. to continue discussion of Executive Session items, and Mr. Creighton seconded the motion.
- ➡ The motion to extend the meeting to 11:00 p.m. to resume the Executive Session carried by a vote of 7-0.

At 11:00 p.m., Mayor Marshall declared the meeting adjourned.

Myrna L. Basich
City Clerk

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